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Attorneys for Defendants
Woodbine Alaska Fish Company,
and Guy Ferrari Inc.

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

CITICAPITAL COMMERCIAL CORP,
Plaintiff,
v.

Case No. A-04-0147 CI
IN ADMIRALTY

EGEGIK SPIRIT, official number 2999957,
her equipment, gear, furniture, apparel,
fixtures, tackle, boats, machinery, anchors
and all appurtenances, in rem;

NAKNEK SPIRIT, official number 585824,
her equipment, gear, furniture, apparel,
fixtures, tackle, boats, machinery, anchors
and all appurtenances, in rem;

WOODBINE ALASKA FISH CO.,
in personam; and GUY FERRARI, INC.,
in personam.

[proposed] DISCOVERY PLAN

Defendants,

**BIRNBERG &
ASSOCIATES**
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DISCOVERY PLAN

1 This Court, having given the parties ample time to meet and confer on the
2 subject, HEREBY APPROVES the following discovery plan:

3 A. Discovery will be needed on the following issues:

4 Issues raised by the amended complaint, the counter claim, and the
5 answers thereto.
6

7 B. All non-expert discovery commenced in time to be completed by
8 August 1, 2006 ("discovery close date"). Expert discovery to be completed by
9 August 15, 2006.

10 C. Limitations on Discovery.

11 1. Interrogatories:

12 No change from F.R.Civ.P. 33(a)

13 X Maximum of 25 by each side.

14 Responses due in 30 days.

15 2. Requests for Admissions.

16 No change from F.R.Civ.P. 36(a).

17 X Maximum of 25 Requests by each side.

18 Responses due in 30 days.

19 3. Depositions.

20 No change from F.R.Civ.P. 36(a), (d).

21 X Maximum of 6 depositions by each side.

22 Depositions not to exceed 6 hours unless agreed to by

23 all parties.
24
25

26 **DISCOVERY PLAN**
27
28

D. Reports from retained experts.

____ Not later than 90 days before the close of discovery
subject to F.R.Civ.P 26(a)(2)(C).

X Reports due:

From plaintiff: July 15, 2006; From defendant: July 15, 2006

E. Supplementation of disclosures and discovery responses are to be made:

____ Periodically at 60-day intervals from the entry of
scheduling and planning order.

____ As new information is acquired, but not later than 60
days before the close of discovery.

X June 1, 2006

F. A final witness list, disclosing all lay and expert witnesses whom a party
may wish to call at trial, will be due:

____ 45 days prior to the close of discovery.

X Not later than July 1, 2006

Dated:

Honorable John Roberts
United States District Court Magistrate